

over Bays et al. Claims 9, 11, 12, 14 and 15 were rejected under 35 U.S.C. § 103 as being unpatentable over Bays et al. in view of U.S. Patent No. 4,728,238 issued to Chisholm et al. on March 1, 1988.

Please amend the Application as follows:

IN THE CLAIMS:

Cancel claim 14.

Please amend the claims as follows:

9. (amended) "A tissue rivet made of [an absorbable]  
10 a bioabsorbable material comprising a single hollow shaft, said  
hollow shaft having a truncated conical head at its front end,  
and a flexible member at its rear end, said flexible member  
having a diameter larger than the diameter of said hollow shaft  
and capable of deforming so as to conform to the angle of the  
15 tissue and the rivet and capable of deforming so as to conform to  
the surface of the tissue in which said rivet is inserted, said  
hollow shaft having a plurality of spaced, [individual] separate,  
flexible projections extending radially from said hollow shaft  
[along substantially the length of said shaft], each of said  
20 plurality of flexible projections capable of flexing toward said  
shaft when being inserted in the tissue and extending at a height  
from said shaft, said height being a dimension larger than the  
largest dimension of the head of said shaft, each of said  
plurality of flexible projections having an apex at a maximum  
25 height from said shaft, the apex of consecutive said flexible  
projections being spaced at a distance equal to less than said  
maximum height, to hold two pieces of tissue together and to  
prevent movement of said rivet in the tissue.

In claim 11, line 1: delete "including" and after "9"  
30 insert --in combination with--;

In claim 12, line 1: after "the" insert --combination  
32 driving means and --;

In claim 15, line 1: replace "13" with --9--;